REMARKS

Claims 1-21 and 26-40 (of which claims 1, 9, 14, 19, 26, 31, and 34 are independent) were pending as of the mailing date of the office action. Claims 1, 9, 14, 19, 26, 31, and 34 have been amended. Favorable reconsideration of the office action mailed December 10, 2007 is respectfully requested in view of the foregoing amendments and the following remarks.

Claim rejections – 35 U.S.C. § 102

Claims 19 and 20 were rejected under 35 U.S.C. 102(b) as being anticipated by Chan et al (US 6,108,654).

Applicant submits that Chan does not disclose or suggest that each of some of the processes changes two or more lock levels from an initially assigned lock level to the particular lock level before the process is allowed to access the record, as recited in amended claim 19.

Chan discloses lock conversions that are changes in state from one access mode to another and are initiated by a process in order to change its access rights to a resource (col. 7, lines 8-10). In Chan, when a process initiates a lock conversion to change lock modes, the lock conversion is either granted (if compatible with granted lock modes), or blocked or queued until prior incompatible lock(s) are released (col. 7, lines 10-17). Chan does not disclose or suggest that the process repeatedly attempting to associate itself with another lock level that is closer to a particular lock level. Placing a lock conversion request in a queue is different from having a process repeatedly attempting to associate itself with another lock level.

Moreover, Chan does not disclose or suggest that each of some of the processes "changes two or more lock levels from an initially assigned lock level to the particular lock level" before the process is allowed to access the record, as recited in claim 19. If the Examiner contends that a lock conversion in Chan is equivalent to associating a process with another lock level as recited in claim 19, then Chan does not disclose or suggest that a process repeatedly issue lock conversions to change two or more lock modes before the process is allowed to access a resource.

Claim rejections – 35 U.S.C. § 103

Claims 1-18 and 26-40 were rejected under 35 U.S.C. 103(a) as being unpatentable over Chan in view of Brenner (US 2002/0078119).

<u>Claims 1, 14, 31, and 34</u>

Chan does not disclose or suggest that a process repeatedly attempt to associate the process with successively lower lock levels until the lock level is equal to a preset value, wherein the particular process changes two or more lock levels from an initially assigned lock level to the lock level having the preset value before the process is allowed to access the record, as recited in amended claim 1.

Chan discloses that when a process initiates a lock conversion to change lock modes, the lock conversion is either granted (if compatible with granted lock modes), or blocked or queued until prior incompatible lock(s) are released (col. 7, lines 10-17). Chan does not disclose that the process repeatedly attempting to associate itself with successively lower lock levels until the lock level is equal to a preset value. Placing a lock conversion request in a queue is different from having a process repeatedly attempting to associate itself with successively lower lock levels.

Moreover, Chan does not disclose or suggest that each of some of the processes "changes two or more lock levels from an initially assigned lock level to the particular lock level" before the process is allowed to access the record, as recited in claim 1, for at lease reasons similar to those applied to claim 19.

What is missing in Chan is also not disclosed or suggested by Brenner, which discloses that each of the processes that are woken up checks to see whether the lock is available, but the process does not repeatedly attempt to associate itself with successively lower lock levels, in which the process changes two or more lock levels from an initially assigned lock level to the lock level having the preset value before the process is allowed to access the record. In Brenner, a queue manager manages the queue and moves the processes down the queue, but the individual processes do not attempt to move themselves. (FIG. 4 and paragraph [0055]).

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Claims 14, 31, and 34 are patentable for at least reasons similar to those applied to claim 1.

Claims 9 and 26

Chan does not disclose or suggest if a second process associates itself with a first lock level before a third process associates itself with the first lock level, the third process associates itself with a second lock level and repeatedly attempts to associate itself with the first lock level, as recited in amended claim 9.

Chan discloses that a process can initiate a lock conversion to change its access rights to a resource (col. 7, lines 8-10). In Chan, if the third process wants to associate itself with the first lock level, it would initiate a lock conversion to convert from the third lock level to the first lock level, rather than issuing two lock conversions to convert from the third lock level to the second lock level, then from the second lock level to the first lock level.

What is missing in Chan is also not disclosed or suggested in Brenner, which discloses using a queue manager to manages the queue and move the processes down the queue, but the individual processes do not attempt to move themselves. (FIG. 4 and paragraph [0055]).

Claim 26 is patentable for at least reasons similar to those applied to claim 9.

Without conceding the Examiner's position, in order to expedite issuance of a patent, the Applicant has amended claims 1, 9, 14, 19, 26, 31, and 34.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Conclusion

Applicant respectfully requests that all pending claims be allowed.

Any circumstance in which the applicant has addressed certain comments of the Examiner does not mean that the Applicant concedes other comments of the Examiner. Any

circumstance in which the Applicant has made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims. Any circumstance in which the Applicant has amended or canceled a claim does not mean that the Applicant concedes any of the Examiner's positions with respect to that claim or other claims.

The fees in the amount of $120 for the Petition for Extension of Time are being paid concurrently herewith on the Electronic Filing System by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket no. 13913-127001.

Respectfully submitted,

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